

REMARKS

In response to the Office Action mailed June 7, 2007 ("Office Action"), Applicant respectfully requests that the Office enter the amendments set forth above and consider the following remarks. By this response, claim 1 has been canceled without prejudice or disclaimer, claims 2, 4-7 and 11 have been amended, and new claims 12-15 have been added. Thus, after entry of this paper, claims 2-8 and 10-15 will remain pending in this application.

In the Office Action, the Examiner: (i) rejected claim 1 under 35 U.S.C. § 102(a) as being anticipated by U.S. Patent No. 7,049,020 to Kerres et al. ("Kerres"); (ii) rejected claim 1 under 35 U.S.C. § 102(b) as being anticipated by German Patent No. DE 119 19 881 to Haring et al. ("Haring"); (iii) rejected claim 11 under 35 U.S.C. § 103(a) as being unpatentable over either Kerres or Haring; (iv) allowed claims 8 and 10; and (v) indicated that claims 2-7 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

REJECTION OF CLAIM 1 UNDER 35 U.S.C. § 102(A)

Claim 1 was rejected under 35 U.S.C. § 102(a) as being anticipated by Kerres. Although Applicant respectfully disagrees with the Examiner's rejection, in the interest of expediting prosecution of the remaining claims, Applicant hereby cancels claim 1 without prejudice and reserve the right to pursue this claim in a continuing application. Based upon the foregoing, the rejection under 35 U.S.C. § 102(a) is now moot.

REJECTION OF CLAIM 1 UNDER 35 U.S.C. § 102(B)

Claim 1 was rejected under 35 U.S.C. § 102(b) as being anticipated by Haring. As stated in the above section, Applicant hereby cancels claim 1, rendering the rejection under 35 U.S.C. § 102(b) is now moot.

REJECTION OF CLAIM 11 UNDER 35 U.S.C. § 103(A)

Claim 11 was rejected under 35 U.S.C. § 103(a) as being unpatentable over either Kerres or Haring. Although Applicant respectfully disagrees with the Examiner's rejection, in the interest of expediting prosecution of the remaining claims, Applicant hereby amends claim 11 to depend from claim 2, which should be allowable for the reasons as set forth below. Accordingly, the rejection under 35 U.S.C. § 103(a) is now moot.

ALLOWABLE SUBJECT MATTER

The Examiner allowed claims 8 and 10. The Examiner also indicated that claims 2-7 would be allowable if rewritten in independent form. Applicant has hereby rewritten claims 2 and 4-7 in the manner indicated by the Examiner. Thus, claims 2 and 4-7 are allowable. Since claim 3 depends from claim 2, which is allowable now, claim 3 is allowable as well. Claim 11 is amended to depend from claim 2, and thus, claim 11 is also allowable. New claims 12-15 depend from claims 4-7 respectively, and therefore are allowable as well. Thus, Applicant respectfully submits that the pending claims are in allowable form, and requests reconsideration of this application and timely allowance of the pending claims.

Applicant further requests that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner. The proposed amendments of claims 2, 4-7 and 11, and new

claims 12-15, do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, since all of the elements and their relationships claimed were either earlier claimed or inherent in the claims as examined.

Furthermore, Applicant notes that the final action presented some new arguments as to the application of the art against Applicant's invention. Entering of this Amendment would allow the Applicant to reply to the final rejections and place the application in condition for allowance.


Finally, the entry of the amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: August 2, 2007

By: 
Jin Zhang
L.R. No. L0223
Direct (650) 849-6677

Filed Via - EFS WEB